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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,474	02/07/2001	G. Rodney Nelson	2479.1067-001	4700
24374 7590 08/17/2007 VOLPE AND KOENIG, P.C. DEPT. ICC UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			EXAMINER TSEGAYE, SABA	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 08/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/778,474

Applicant(s)

NELSON ET AL.

Examiner

Saba Tsegaye

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 8, 10-19, 25-27 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 7, 8 and 10-19 is/are allowed.
- 6) ☒ Claim(s) 25-27 and 29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. This Office Action is in response to the amendment filed 06/15/07. Claims 1-5, 7, 8, 10-19, 25-27 and 29 are pending. Claim 1-5, 7, 8 and 10-19 are allowed. Claims 25-27 and 29 are rejected.

### *Claim Rejections - 35 USC § 102*

2. Claims 25-27 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Jalali et al. (US 5,828,662).

Regarding claim 25, Jalali discloses a method for supporting wireless communications, the method comprising the steps of:

allocating a first channel to support message transmissions from a base station to multiple field units (see fig. 5, 501 (column 6, lines 62-65);

allocating a second channel to support message transmissions from the field units to the base station (see fig 4, 401 (column 5, lines 4-10);

assigning time slots in the first and second channel for message transmissions between the base station and field units (see figs. 4 and 5; 4c and 5c); and

assigning a set of codes for use by a field unit, each code corresponding to a message that is transmitted in a time slot on the second channel (column 6, lines 28-30), a code being transmitted by the field unit on the second channel (column 6, lines 30-32) to provide and indication to the base station (column 6, lines 39-41).

Regarding claims 26 and 27, Jalali discloses a method wherein the set of codes (short PN codes) is unique to each field unit (column 6, lines 28-53).

Regarding claim 29, Jalali discloses a method wherein a code of the set of codes indicates a request by the field unit to be allocated reverse traffic channels for transmitting a data payload to the base station (column 6, lines 54-58).

*Allowable Subject Matter*

3. Claims 1-5, 7, 8 and 10-19 are allowed.

*Response to Arguments*

4. Applicant's arguments filed 02/14/07 have been fully considered but they are not persuasive. Applicant argues that Jalali does not disclose "... each code corresponding to a message that is transmitted in a time slot on the second channel...to provide an indication to the base station". Examiner respectfully disagrees with Applicant assertion. Jalali discloses that a base station broadcast an assignment message to a mobile terminal on downlink channels. This assignment message consists of **an SSR channel and assigned time slot** on the assigned **SSR channel** for use by **the mobile terminal**. An SSRC-PN (short code) is assigned **for each channel**. The mobile terminal on its assigned SSR channel time slot transmits **the short code for synchronization** with the base station. Since Applicant only requires providing an indication to the base station, without specifying what the indication for. It is respectfully submitted that the pending claims as they currently stand read in the Jalali reference.

*Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Saba Tsegaye  
Examiner  
Art Unit 2616

ST  
August 10, 2007

  
WING CHAN 8/14/07  
SUPERVISORY PATENT EXAMINER